

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	Criminal No. <u>19-cr-10114-STA</u>
)	
vs.)	
)	
MATTHEW BERRY,)	
)	
Defendant.)	

**POSITION OF THE UNITED STATES AS TO PRESENTENCE REPORT and
SENTENCING**

Comes now the United States Attorney for the Western District of Tennessee by and through his duly authorized Assistant, and takes the following position regarding the presentence report prepared and filed in the above styled and numbered cause:

I. Presentence report

The United States concurs with the factual basis and advisory sentencing range calculations and so requests no additions or amendments to the report.

II. Sentencing hearing

The United States anticipates that it will be necessary to present evidence to support some of the facts set forth in the presentence report. This evidence will include testimony and certain items that cannot lawfully be presented via video conferencing platforms. Therefore, COVID-19 restrictions notwithstanding, the government requests that the hearing be an in-court proceeding to the greatest degree possible while still being mindful of the need for social distancing and safety

precautions.

III. Victim impact

The United States anticipates that at least two victims will present impact statements at sentencing. These persons have indicated that they wish to address the Court in person if at all possible, while still observing the protocol in place to prevent the spread of COVID-19.

IV. Sentencing Recommendation

The government will advocate for a sentence within the advisory guideline range.

Respectfully submitted,

D. MICHAEL DUNAVANT
United States Attorney

By: /s/ Debra L. Ireland
Assistant United States Attorney

CERTIFICATE OF SERVICE

I, Debra L. Ireland, Assistant United States Attorney, do hereby certify that a copy of the foregoing Motion was forwarded by electronic means, via the Court's Electronic Filing System, to Jawara Griffin, Esq., Assistant Federal Defender, Attorney for Defendant.

This 3rd Day of November, 2020.

/s/ Debra L. Ireland
Assistant United States Attorney